

ORDINANCE NO. 14-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a utility and drainage easement; that the applicant has represented to the City of Huntsville that Huntsville Investors, LLC, is the owner of the property across which said easement lies; that said easement or portion being vacated is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

**QUITCLAIM DEED
(EASEMENT VACATION)**

**STATE OF ALABAMA
COUNTY OF MADISON**

KNOW THAT ALL MEN BY THESE PRESENTS, That the CITY OF HUNTSVILLE, a municipal corporation within the State of Alabama, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), in hand paid by HUNTSVILLE INVESTORS, LLC, an Alabama limited liability company, the receipt of which is hereby acknowledged, does hereby remise, release, quitclaim and convey unto the said Huntsville Investors, LLC, a Delaware limited liability company, all right, title, interest and claim in and to the following described real estate, situated in Madison County, Alabama, to-wit:

See "EXHIBIT A" attached hereto and incorporated herein

TO HAVE AND TO HOLD the same unto HUNTSVILLE INVESTORS, LLC, a Delaware limited liability company their successors and assignments forever.

WITNESS my hand and seal this the 10th day of April, 2014.

CITY OF HUNTSVILLE, ALABAMA a municipal
corporation

BY: _____
TOMMY BATTLE, Mayor

ATTEST:

BY: _____
Charles E. Hagood
Its: Clerk-Treasurer

**STATE OF ALABAMA
MADISON COUNTY**

I, the undersigned Notary Public in and for said county in said state, hereby certify that Tommy Battle and Charles E. Hagood, whose names as Mayor and City Clerk – Treasurer, respectively, of the CITY OF HUNTSVILLE, ALABAMA, a municipal corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me that, being fully informed of the contents of said instrument, they, as such officers and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this ____ day of _____, 2014.

SEAL

Notary Public _____
My Commission expires: _____

THIS INSTRUMENT WAS PREPARED BY:
Fred L. Coffey, Jr.
Sirote & Permutt, P.C.
305 Church St., Ste. 800
Huntsville, AL 35801
DOCSHSV220223\1

EXHIBIT A

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 1 WEST, MADISON COUNTY, ALABAMA, AND BEING A PORTION OF A 10-FOOT WIDE UTILITY AND DRAINAGE EASEMENT LYING ALONG THE SOUTHERLY BOUNDARY OF LOT 8, BLOCK 2 OF AMHURST PHASE VI AS RECORDED IN PLAT BOOK 45, PAGE 88 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT (STAMPED GW JONES) MARKING THE SOUTHEAST CORNER OF LOT 5 OF AMHURST PHASE II AS RECORDED IN PLAT BOOK 32, PAGE 78 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA; THENCE SOUTH 0 DEGREES 39 MINUTES 28 SECONDS WEST, 10.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 15 MINUTES 19 SECONDS EAST, 10.00 FEET TO A POINT; THENCE NORTH 0 DEGREES 39 MINUTES 28 SECONDS EAST, 3.63 FEET TO A POINT; THENCE SOUTH 88 DEGREES 58 MINUTES 03 SECONDS EAST, 10.00 FEET TO A POINT; THENCE NORTH 20 DEGREES 42 MINUTES 58 SECONDS EAST, 5.31 FEET TO A POINT; THENCE SOUTH 88 DEGREES 58 MINUTES 03 SECONDS EAST, 508.67 FEET TO A POINT; THENCE SOUTH 0 DEGREES 59 MINUTES 05 SECONDS WEST, 10.00 FEET TO A POINT; THENCE NORTH 88 DEGREES 58 MINUTES 03 SECONDS WEST, 530.43 FEET TO A POINT; THENCE NORTH 0 DEGREES 39 MINUTES 28 SECONDS EAST, 1.06 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.12 ACRES (5162 SQUARE FEET) MORE OR LESS.

Ordinance No. 14-_____ (Cont.)
Huntsville Investors, LLC

ADOPTED this the 10th day of April, 2014.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 10th day of April, 2014.

Mayor of the City of
Huntsville, Alabama